

1 J. Stephen Peek
Nevada Bar No. 1758
2 HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
3 Las Vegas, NV 89134
Phone: (702) 222-2544
4 Fax: (702) 669-4650
speek@hollandhart.com
5 raloosvelt@hollandhart.com

6 Brett L. Foster (pro hac vice admission)
Tamara L. Kapaloski (pro hac vice admission)
7 DORSEY & WHITNEY LLP
111 S. Main Street Suite 2100
8 Salt Lake City, UT 84111-2176
Telephone: (801) 933-7360
9 Facsimile: (801) 933-7373
foster.brett@dorsey.com
10 kapaloski.tammy@dorsey.com

11 *Attorneys for Plaintiff Snap Lock Industries, Inc.*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 **SNAP LOCK INDUSTRIES, INC.,**

15 Plaintiff,

16 vs.

17 **SWISSTRAX CORPORATION,**

18 Defendant.

Case No. 2:17-cv-02742-RFB-PAL

**JOINT MOTION AND STIPULATION TO
AMEND DISCOVERY PLAN AND
SCHEDULING ORDER
(FIRST REQUEST)**

19
20 Pursuant to Local Rule 26-4 and Local Rule IA 6-1 and the Court's May 8, 2018, Order (ECF
21 No. 59), Plaintiff Snap Lock Industries, Inc. ("Snap Lock") and Defendant Swisstrax Corporation
22 ("Swisstrax") hereby respectfully jointly move this Court for an entry of an Amended Discovery Plan
23 And Scheduling Order.

24 1. On May 8, 2018, the Court entered a Discovery Plan and Scheduling Order (the
25 "Scheduling Order") in this case, which set several case deadlines. See ECF No. 59. Pursuant to the
26 Scheduling Order, the fact discovery deadline is currently set for September 10, 2018, the dispositive
27
28

1 motions deadline is current set for October 10, 2018, and the current deadline for filing the joint
2 pretrial order is November 9, 2018. *See id.*

3 2. The Scheduling Order also directed the parties to meet and confer as required by Fed.
4 R. Civ. P. 26(f) not later than May 21, 2018. *See id.*

5 3. The parties conferred pursuant to Rule 26(f) on May 17, 2018, and have submitted a
6 Rule 26(f) Report and Proposed Discovery Plan (the “Rule 26(f) Report”). *See* ECF No. 60.

7 4. To provide the parties sufficient time to conduct discovery and avoid scheduling
8 conflicts with other matters, both parties hereby jointly request the Court to modify certain of the
9 deadlines in the Scheduling Order as set forth in the Rule 26(f) Report to allow adequate time for
10 discovery in this action. Specifically, the parties jointly request that the discovery cutoff, dispositive
11 motion deadline, and date for filing the joint pretrial order each be extended by approximately five
12 weeks.

13 5. This is the first request for extension of these deadlines. No discovery has been
14 completed in this action to date, beyond the disclosures provided in the parties’ briefings on the
15 pending motion for preliminary injunction.

16 6. Good cause exists for this request. The parties seek a short five week extension of the
17 discovery, dispositive motion, and pretrial order deadlines in the Scheduling Order. Modifying
18 these deadlines will permit the parties to take discovery in this action and prepare their respective
19 cases, and avoid scheduling conflicts with other matters. No party will be prejudiced by the
20 extension requested.

21 7. For these reasons, the parties respectfully request that the Court grant this Joint
22 Motion and extend the deadlines in the Scheduling Order as follows:

Deadline	Existing Date per Scheduling Order (ECF No. 59)	Proposed New Date
Fact discovery deadline	September 10, 2018	October 19, 2018
Dispositive motion deadline	October 10, 2018	November 19, 2018

Date to file joint pretrial order	November 9, 2018	December 17, 2018
-----------------------------------	------------------	-------------------

8. The parties propose that all other deadlines remain as set in the current Scheduling Order.

Dated this 18th day of May, 2018.

DORSEY & WHITNEY LLP

DICKINSON WRIGHT PLLC

/s/ Tamara L. Kapaloski

/s/ Steven A. Caloiaro

Brett L. Foster

John L. Krieger

Tamara L. Kapaloski

Steven A. Caloiaro

Dorsey & Whitney, LLP

8363 West Sunset Road, Suite 200

111 South Main Street, Suite 2100

Las Vegas, NV 89113

Salt Lake City, UT 84111-2176

Email: jkriger@dickinson-wright.com

Telephone: 801-933-4082

Email: scaloiaro@dickinson-wright.com

Email: foster.brett@dorsey.com

Email: kapaloski.tammy@dorsey.com

ORDER

IT IS SO ORDERED:

Hon. Peggy A. Leen

United States Magistrate Judge

DATED: May 22, 2018

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of May, 2018, I electronically filed a true and correct copy of the foregoing **JOINT MOTION AND STIPULATION TO AMEND DISCOVERY PLAN AND SCHEDULING ORDER (FIRST REQUEST)** with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Tamara L. Kapaloski